

EXHIBIT 19

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Case No. 2:22-cv-00422-JRG-RSP

JURY DEMANDED

DECLARATION OF JAMES LAVINE

1. I, James Lavine, declare as follows.

2. I formerly served as ItsOn, Inc.'s ("ItsOn") Vice President of Engineering, Vice President of Platform Solutions Architecture, and Vice President of Solutions Architecture, Cloud Operations. I provide this declaration in support of Headwater's Opposition to Samsung's Motion for Sanctions. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

3. I understand that Samsung's Motion asserts that ItsOn source code is gone and cannot be restored or obtained. I address that assertion regarding ItsOn source code below.

4. Between 2009 and 2017, I was employed by ItsOn. During my employment, I served as ItsOn's Vice President of Engineering, Vice President of Platform Solutions Architecture, and Vice President of Solutions Architecture, Cloud Operations.

5. During my time at ItsOn, I was involved in the development of ItsOn's software and services, including technical documentation, uncompiled ItsOn source code, and compiled ItsOn's software that was distributed in the form of APK files.

6. In December of 2017, ItsOn closed because it had lost one of its largest accounts. Soon after, in January of 2018, ItsOn's assets were transferred to an assignment for the benefit of creditors entity: ItsOn (assignment for the benefit of creditors), LLC ("ItsOn ABC"). ItsOn ABC was managed by Sherwood Partners, Inc.

7. In January 2018, Sherwood Partners hired me to download archives of ItsOn's electronic records. I downloaded the archives of ItsOn's electronic records and provided them to Sherwood Partners. During that time, an employee of Sherwood Partners visited the ItsOn offices to retrieve ItsOn's physical servers and other assets. ItsOn's physical servers stored, among other things, ItsOn's repository of uncompiled source code. I provided Sherwood Partners

with passwords and other information to access the source code on those servers and assisted Sherwood Partners with powering down and disconnecting the servers. Sherwood Partners took the physical servers with them so that they could maintain ItsOn's assets. Because ItsOn closed, it did not otherwise retain the source code or and physical servers that were provided to Sherwood Partners.

8. To my knowledge, ItsOn ABC continues to possess and retain the ItsOn assets, including the ItsOn source code, as administered by Sherwood Partners, Inc.

I declare under penalty of perjury that the foregoing is true and correct.

Executed April 22, 2024.

By: /s/ James Lavine
James Lavine